

REMARKS

This amendment is submitted in response to the Office Action mailed on June 3, 2005. Reconsideration of the claims with an eye toward allowance is respectfully requested.

Claims 1 and 9-33 are pending before entry of this amendment. Of these claims, Claims 1 and 9-16 are allowed, claims 23-25 are rejected, and Claims 32 and 33 are objected to. After entry of this amendment Claims 1, 9-16, and 23-25 are pending in the application and in condition for allowance.

Claims 23-25 are rejected under 35 USC 102(e) as being anticipated by Zungia et al (2002/0086624). Without admitting the propriety of the rejection, and to expedite allowance of the other claims, Applicant has amended claims 23 and 25 to incorporate the limitations of the allowable claims to which objections were identified (Claims 32 and 33) to place them in condition for allowance. Claims 32 and 33 were subsequently cancelled as they were redundant with the amended base claims 23 and 25 after amendment. Claim 24, dependent from Claim 23, is now also allowable at least on the basis of the allowability of its base claim.

Other of the claims (Claims 1, 9, 13, and 14) have been amended to correct informalities to improve readability and in other ways not related to patentability by inserting words such as "to" and "by".

Claims 17-22 and 26-31 have been withdrawn from consideration as being directed to a different invention, and have now been cancelled without prejudice to present in a related application such as in a related divisional or continuation application.

In view of the foregoing, it is respectfully submitted that the claims of record are allowable and that the application should be passed to issue. Should the Examiner believe that the application is not in a condition for allowance and that a telephone interview would help further prosecution of this case, the Examiner is requested to contact the undersigned attorney at the phone number below.

While Applicant believes that no further fees are due at this time, the Commissioner is authorized to charge any fees that may be due as a result of filing this amendment, including additional claims fees not already paid for, fees for Extension of Time, or other fees that have not been separately paid, to Deposit Account 50-2319 (Order No. A-68359-1 (475852-7)).

Appl. No. 10/027,935
Amdt. dated August 31, 2005
Reply to Office Action of June 3, 2005

Applicants submit the claims are in condition for allowance, and notification of such is respectfully requested. If after review, the Examiner feels there are further unresolved issues, the Examiner is invited to call the undersigned at (650) 494-8700.

Respectfully submitted,

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